

M E M O R A N D U M

DATE: September 22, 1976

FROM: Dallin

TO: Dee
Don

RE: Attached Letter

I am attaching hereto a copy of a letter to Louis Galloway from the Affiliated Ute Citizens of Utah.

I would appreciate it if each of you would read this letter and then meet with me to discuss it.

Thank you.

Sept 1 1976

Water Commisisoner Of The Associtied
Water Users Of The Uintah Basin,
Mr Leuie Gallaway

This letter is to inform you of our position as land owners and water users in the Uintah Basin Representing the interest of the Affiliated Ute Citizens of Utah.

Whose interest and rights ~~are~~ antedates to the Executive Order of 1861 and other legal documents pertaining to said Executive Order. These rights and interests were given to use not only through the Executive Order but through an act of Congress through the passage of (Public Law 671 83rd Congress of the United States) which intiles use to our perccint of assits that they own under the Excutive Order of 1861.

Your failure to recognize these rights allowing a great injustice to take place against the people who have these rights. Your contention that the 1861 priarity right to the use of water in the Uintah Basin is limited to the Uintah and Ouray irrigation project is an assumption on your part. The position of the Commisssner spoken of in the 1923 decree is to administer the priorities set forth under the decree.

I'm unable to find within the decree the authority giving you the right to determine whether or not lands under the Executive Order should have the right to the use of waters or not.

Upon discussing these points with you several times it seems my attempts to explain the position of these people has been to no avail. and because you have taken a direct stand against the recommendations of the water consultation engээр whom we hired to gether all information that he could on water rights in the Uintah Basin whose recommendation were accepted by the Central Utah Project of the State of Utah in connection with these said rights.

It is our conntention that you are wrong in administering the water in the Uintah Basin in the manner you do. It is our futher conntention that you lack jurisdiction to make decisions on problems that do not fall directle under the decree of 1923. Futher that you show favortism that involves different water companys within the Uinath Basin.

We here with submit a paragraph from a letter written to Mr Dennis Mower Resource Director Of The Ute Indian Tribe, dated Aug 26 1974 it is and quote. What will happen if the central Utah project is abandoned? The Ute Indian Tribe can and will provide the facilities for the irrigation of all groups' ~~lands~~ lands, including those in the Deferral Agreement in the Duchesne river area. And the water to severe these lands will be taken from the Reveration homesteaders who have a secondary priority right. The net result of this will be taken away all of the secondary rights in all the Reservation streams with the exception of Duchesne and Green Rivers will be completely dried up(Unquote).

Group five land as referred to in this quote are lands that are elejible for irrigation which lands are owned by the Ute Indian Tribe and the affiliated Ute Citizens of Utah it is within the Tribes jurisdiction to determine whate they do with their groupe five lands. And the groupe five lands owned by the affiliated Ute Citizens are within their Jurisdiction. The Deferral Agreement(as is) with the Ute Indian

Tribe does not affect the Affiliated Ute Citizens water holding in anyway.

We will not let any further missuse of waters owned by the Affiliated Ute Citizens be permitted as to place our water rights in jepordy. We are aware of many of the problems that are involed with water in the Uinath Basin. And feel that these rights should be again adjudicated under existion laws to determine the priorety of rights that now exist.

Due to the difference of the acres increse in the secondary water users sence the decree of 1923 thus demminishing our rights of 1861. The executive order of 1861 thu which we aquire ownership of all water rights within said executive order. These lands which you deny the use of water and permit lands which are not in it to inccess which are the secondrey water users.

In decussing with you and Mr Dave Scheffey these matters you expressed a deisire also to have severl of these matters ruled on. We seek your corporation in persuaing this course. If this is still your conntention a early reply would be appreciated.

Signed
The Board Of Directors Of The
Affiliated Ute Citizens Of Utah

C7C
Mr Lynn Ludlow
Centril Utah Project

Mr William S. Streitze
Superntent Uintah & Ouray
Agency

Lester Chapoose
Tribel Bussnesse
Committee

Mr Dennis Lower
Tribel Recourses

Wanda Hackford
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Vice Presdent Calvin Hackford

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Treasury Glen Mc Murdock

Elmer Hackford
Member Elmer Hackford